APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,197	06/26/2001	Stanley Gene Boyer	07099-1466-00000	9386

22852	7590	04/28/2005	EXAMINER

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ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 04/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/891,197	BOYER ET AL.
	Examiner	Art Unit	
	Matthew L. Brooks	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _20 May 2004_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some *   c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Examiner for purposes of examination used the amended claims submitted on

5/20/2004.

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

2.   **Claims 1-20** are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

3.   As to **Claims 1, 3-9, 11-15 and 19** the preamble fails to clearly distinguish as to

what is being claimed, because both systems and method are used in the opening

sentence and thus is ambiguous to the Examiner. However for exam purposes

Examiner considered Applicant intended a method claim.

4.   As to **Claims 1, 3-9, 11-15 and 19** the Claims are generally indefinite and are

intertwined with terms that lead to ambiguity. Examples include:

        a. "...detecting an event of a plurality of events..." wherein a plurality of events is

never defined with in the specification.

        b. "...which publishes the plurality of events for occurrence of the event..."

Examiner is unsure what plurality of events is being published. And as to the

occurrence of the event Examiner is unable to decipher if this is the detection of the said

"event" or a new event . Examiner recommends labeling each event. For instance

"detecting of an event **1**" and "for occurrence of event **2**" this would allow Examiner to determine what applicant intends to claim.

   c. The same type of event labeling would be necessary as to the statement "...wherein occurrence of the *event* triggers occurrence of at least one additional *event* resulting from a response to the occurrence of the *even..*" The term EVENT is used three times in this one sentence and Examiner cannot decipher which event is which or if all events are the same or exactly what Applicant intends.

   d. The same type of labeling would also make definite the term RESPONSE which is used three times with in the claim and which Examiner considers to be three separate events: "...resulting from a *response* to the occurrence of the event", "... and initiating the *response* to the occurrence of the event...", and "...initiating a further *response* to the occurrence of the event."

5.   As to **Claims 2, 16-18, 10 and 20** the statement "detecting a travel-related event of a plurality of travel-related events, with the detecting of the travel-related event including monitoring a system which publishes the plurality of travel-related events for occurrence of the travel-related event, wherein occurrence of the travel-related event triggers occurrence of at least one additional travel-related event resulting from performance of an activity in response to the occurrence of the *travel-related event*;" Emphasis was added to make it clear to applicant that some type of labeling scheme would make clear to Examiner, because Examiner cannot determine whether the "travel-related event" is the first travel related event or the second additional travel-related event.

Also with respect to the term ACTIVITY as used "...resulting from performance of

an *activity* in response..." and "...initiating the *activity* in response to the notification..."

No special definition is given to this term in the specification and is it unclear as to the

scope Applicant intends to claim.

6.   As to **Claims 15 and 18** the term "...generic information including..." in the

claims is a relative term which renders the claim indefinite. The term is not defined by

the claim, the specification does not provide a standard for ascertaining the requisite

degree, and one of ordinary skill in the art would not be reasonably apprised of the

scope of the invention. However, for purposes of examination Examiner used the

examples found with in the claim.

Also, The term "...individual information including..." in the claims is a relative

term which renders the claim indefinite. The term is not defined by the claim, the

specification does not provide a standard for ascertaining the requisite degree, and one

of ordinary skill in the art would not be reasonably apprised of the scope of the

invention. However, for purposes of examination Examiner used the examples found

with in the claim.

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

8.   Claims 1-4 and 6-20 are rejected under 35 U.S.C. 102(e) as being anticipated by

patent number 6,496,568 Donald R. Nelson (Nelson).

9.   With respect to **Claims 1 and 9**: Nelson discloses

a method for notifying entities of events, each entity associated with a different

one of the heterogeneous systems, (Column 1, 35-50) Applicant has defined "system"

as an individual or entity with in the specification (See page 3, 1-5) and "event" and

"entity" very broadly (See Page 3, 7-25 and Page 4, 1-8)

detecting an event of a plurality of events, with the detecting of the event

including monitoring a system which publishes the plurality of events for occurrence of

the event, wherein occurrence of the event triggers occurrence of at least one additional

event resulting from a response to the occurrence of the event; (Column 2, 8-30

wherein Nelson detects an event by a "polling system" which is deemed the equivalent

of Applicant's "monitoring system" and wherein Nelson then notifies customers of the

event and triggers and additional event of receiving a customer response.)

automatically transmitting, in response to the detecting of the event and without

user intervention, a notification to the heterogeneous system associated with a first

entity of the event, (Column 35-40 wherein Nelson discloses a "customer messenger

manager" which notifies customers) the first entity having previously registered to

receive notification of the event and initiating the response to the occurrence of the

event, with the automatically transmitting of the notification to the heterogeneous

system associated with the first entity including determining whether the first entity has

previously registered to receive notification of the event; (Column 1, 50-66) and

automatically transmitting, without user intervention, a notification to the

heterogeneous system associated with a second entity of the additional event (Column

2, 1-16 Examiner considers "real time data system" to be a second entity because

Applicants specification defined systems as entities on Page 3, 1-3. Also, second entity

could be, among many things, the "paging system" See Fig 1, 162), the second entity

initiating a further response to the occurrence of the event. (Column 2, 1-16; wherein

Nelson discloses notifying the customer and the "real time data system" which responds

by updating the system).

10.   With respect to **Claim 2**: Nelson discloses

in an integrated event notification system communicably connecting a plurality of

entities, a method for notifying entities of travel-related events, (Column 1, 35-50)

Applicant has defined "system" as an individual or entity with in the specification (See

page 3, 1-5) and "event" and "entity" very broadly (See Page 3, 7-25 and Page 4, 1-8)

detecting a travel-related event of a plurality of travel-related events, with the

detecting of the travel-related event including monitoring a system which publishes the

plurality of travel-related events for occurrence of the travel-related event, wherein

occurrence of the travel-related event triggers occurrence of at least one additional

travel-related event resulting from performance of an activity in response to the

occurrence of the travel-related event (Column 2, 8-30 wherein Nelson detects an event

by a "polling system" which is deemed the equivalent of Applicant's "monitoring system"

and wherein Nelson then notifies customers of the event and triggers and additional

event/activity of receiving a customer response.);

automatically transmitting, in response to the detecting of the travel-related event

and without user intervention, a notification to a first entity of the travel-related event

(Column 35-40 wherein Nelson discloses a "customer messenger manager" which

notifies customers), the first entity having previously registered to receive notification of

the travel-related event and initiating the activity in response to the notification, with the

automatically transmitting of the notification to the first entity including determining

whether the first entity has previously registered to receive notification of the travel-

related event (Column 1, 50-66); and

automatically transmitting, without user intervention, a notification to a second

entity of the additional travel-related event (Column 2, 1-16 Examiner considers "real

time data system" to be a second entity because Applicants specification defined

systems as entities on Page 3, 1-3. Also, second entity could be, among many things,

the "paging system" See Fig 1, 162), the second entity initiating performance of an

additional activity in response to occurrence of the travel-related event (Column 2, 1-16;

wherein Nelson discloses notifying the customer and the "real time data system" which

responds by updating the system).

11.   With respect to **Claim 10**: Nelson discloses

A data processing system comprising, a memory having program instructions;

and a processor responsive to the program instructions for (See Nelson Fig 2):

detecting a travel-related event of a plurality of travel-related events, with the

detecting of the travel-related event including monitoring a system which publishes the

plurality of travel-related events for occurrence of the travel-related event, wherein

occurrence of the travel-related event triggers occurrence of at least one additional

travel-related event resulting from performance of an activity in response to the

occurrence of the travel-related event (Column 2, 8-30 wherein Nelson detects an event

by a "polling system" which is deemed the equivalent of Applicant's "monitoring system"

and wherein Nelson then notifies customers of the event and triggers and additional

event/activity of receiving a customer response.);

automatically transmitting, in response to the detecting of the travel-related event

and without user intervention, a notification to a first entity of the travel-related event

(Column 35-40 wherein Nelson discloses a "customer messenger manager" which

notifies customers), the first entity having previously registered to receive notification of

the travel-related event and initiating the activity in response to the notification, with the

automatically transmitting of the notification to the first entity including determining

whether the first entity has previously registered to receive notification of the travel-

related event (Column 1, 50-66); and

automatically transmitting, without user intervention, a notification to a second

entity of the additional travel-related event (Column 2, 1-16 Examiner considers "real

time data system" to be a second entity because Applicant's specification defined

systems as entities on Page 3, 1-3. Also, second entity could be, among many things,

the "paging system" See Fig 1, 162), the second entity initiating performance of an

additional activity in response to occurrence of the travel-related event (Column 2, 1-16;

wherein Nelson discloses notifying the customer and the "real time data system" which

responds by updating the system).

12.   With respect to **Claim 3**: Nelson discloses

wherein the second entity initiates a further response in parallel to multiple

heterogeneous systems (Column 4, 34-45).

13.   With respect to **Claim 4**: Nelson discloses

wherein the additional event to the occurrence of the event comprises rebooking

a passenger on a different flight (Column 4, 35-40 wherein the customer can select from

a list of available alternative flights, hence rebooking).

14.   With respect to **Claim 6**: Nelson discloses

automatically transmitting, without user intervention, a notification to the

heterogeneous system associated with a third entity of the additional event (Figure 1,

113 and further more this third entity could simply be a notified customer in which

Nelson anticipates notifying a "multitude" of entities.

15.   With respect to **Claim 7**: Nelson discloses

wherein the third entity is registered to receive the notification (Column 4, 65-67

through Column 5, 1-8 wherein if the third entity is receiving the notification inherently it

must be registered to receive it).

16.   With respect to **Claim 8**: Nelson discloses

wherein the notification occurs in real-time (Nelson's invention and notification is

in real-time and examples can be found Column 2, 1-5 and Column 4, 60).

17.   With respect to **Claim 11**: Nelson discloses

wherein the heterogeneous system associated with the second entity does not

monitor for the occurrence of the event or the additional event (Column 4, 27-31 where

in Nelson discloses a standard paging system and pager which certainly does not

monitor for events).

18.   With respect to **Claim 12**: Nelson discloses

wherein the heterogeneous system associated with the second entity is a non-

listening-receiving system (Fig. 1, 162 and Column 2, 52-60 and Column 4, 27-31 as

the systems disclosed by Nelson, such as phone and paging, certainly are "non-

listening" as defined by Applicant's Specification → see page 9, 14-16).

19.   With respect to **Claim 13**: Nelson discloses

wherein the automatically transmitting of the notification to the heterogeneous

system associated with the second entity includes determining whether the second

entity has previously registered to receive notification of the additional event (Column 3,

50-68).

20.   With respect to **Claim 14**: Nelson discloses

the first entity having previously registered to receive notification of the event

comprises the first entity having previously registered to receive notification of a first

type of events (Column 3, 60-68 Examiner considers this to be a customer wishing to be

notified of when a customer on a flight registered to be notified of its cancellation, delay

or event),

the second entity has previously registered to receive notification of a second

type of events (Column 3, 60-68 Examiner considers this to be another customer of a

different flight that registered to be notified of its cancellation, delay, or event) and

the first type of events is different from the second type of events (Inherently if

the two entities were on different flights the type of events to be notified of would be

different, such as flight 408 is cancelled and flight 409 is delayed).

21.   With respect to **Claim 15**: Nelson discloses

type of events that is generic information, with the generic information including

information about a flight being delayed or a baggage claim being changed for an entire

flight (Column 2, 42-43),

the second type of events is individual information, with the individual information

including information about a person having been rebooked on a particular flight

(Column 2, 40-45).

22.   With respect to **Claim 16**: Nelson discloses

wherein the automatically transmitting of the notification to the second entity

includes determining whether the second entity has previously registered to receive

notification of the additional travel-related event (Column 3, 50-68).

23.   With respect to **Claim 17**: Nelson discloses

the first entity having previously registered to receive notification of the event

comprises the first entity having previously registered to receive notification of a first

type of events (Column 3, 60-68 Examiner considers this to be a customer wishing to be

notified of when a customer on a flight registered to be notified of its cancellation, delay

or event),

the second entity has previously registered to receive notification of a second

type of events (Column 3, 60-68 Examiner considers this to be another customer of a

different flight that registered to be notified of its cancellation, delay, or event) and

the first type of events is different from the second type of events (Inherently if the two

entities were on different flights the type of events to be notified of would be different,

such as flight 408 is cancelled and flight 409 is delayed).

24.   With respect to **Claim 18**: Nelson discloses

type of events that is generic information, with the generic information including

information about a flight being delayed or a baggage claim being changed for an entire

flight (Column 2, 42-43),

the second type of events is individual information, with the individual information

including information about a person having been rebooked on a particular flight

(Column 2, 40-45).

25.   With respect to **Claim 19**: Nelson discloses

wherein the automatically transmitting of the notification to the heterogeneous

system associated with the second entity includes determining whether the second

entity has previously registered to receive notification of the additional event (Column 3,

50-68).

26.   With respect to **Claim 20**: Nelson discloses

wherein the automatically transmitting of the notification to the heterogeneous

system associated with the second entity includes determining whether the second

entity has previously registered to receive notification of the additional travel-related

event (Column 3, 50-68).

Claim Rejections - 35 USC § 102

27.   Claims 1 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by

patent number 6,246,320 David Monroe (Monroe).

28.   With respect to **Claim 1**: Monroe discloses

In an integrated event notification system comprised of a plurality of

heterogeneous systems, a method for notifying entities of events, each entity

associated with a different one of the heterogeneous systems (See FIG 1 and Column

2, 50-55),

detecting an event of a plurality of events. with the detecting of the event

including monitoring a system which publishes the plurality of events for occurrence of

an the event (Column 3, 19-25 and Column 6, 35-40 wherein transmitting to monitoring

station is considered "publish"), wherein occurrence of the event triggers occurrence of

at least one additional event resulting from a response to the occurrence of the event

(Column 3, 32-40),

automatically transmitting, in response to the detecting of the event and without

user intervention, a notification to the heterogeneous system associated with a first

entity of the event, the first entity having previously registered to receive notification of

the event and initiating the response to the occurrence of the event with the

automatically transmitting of the notification to the heterogeneous system associated

with the first entity including determining whether the first entity has previously

registered to receive notification of the event (Column 6, 35-40 and Column 7, 56-60

although Monroe never explicitly uses the terms registering and determining it inherently

must because Monroe discloses sending the notification of events to terminal and/or

safety sites and further states "selected personal are signaled"); and

automatically transmitting, without user intervention, a notification to the

heterogeneous system associated with a second entity of the additional event, the

second entity initiating a further response to the occurrence of the event (Column 8, 40-

45).

29.   With respect to **Claim 5**: Monroe discloses

wherein the additional event to the occurrence of the event comprises

rescheduling ground crew (Abstract and Column 4, 36-45).

Conclusion

The prior art made of record and not relied upon is considered pertinent to

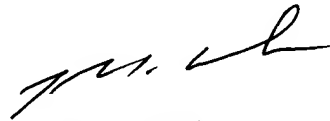applicant's disclosure include Toy Patent Number 4,554,418.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Matthew L. Brooks whose telephone number is (571)

272-8112. The examiner can normally be reached on Monday - Friday; 8 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Weiss can be reached on (571) 272-8112. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free).

MLB

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